

**To:** Tina Laidlaw/MO/R8/USEPA/US@EPA;"Mathieus, George" [gemathieus@mt.gov]; Mathieus, George" [gemathieus@mt.gov]  
**Cc:** Ron Steg/MO/R8/USEPA/US@EPA;"Bostrom, Mark" [MBostrom@mt.gov]; Bostrom, Mark" [MBostrom@mt.gov]; onya Fish/R8/USEPA/US@EPA[]  
**From:** "Suplee, Mike"  
**Sent:** Fri 4/15/2011 5:29:08 PM  
**Subject:** RE: Nutrients

Hi Tina, George;

I too can meet next week. Below I outline a general approach to determining S&W impact of the base numeric nutrient standards on a statewide basis if they had to be met today. I believe this will be a fairly straight-forward analysis whose results will very, very likely (almost certainly) show that meeting the nutrient standards today in all communities across the whole state would be prohibitively expensive.

I think we would have a more constructive conversation if we could spend time discussing EPA's views of DEQ's "remedy". As EPA knows, the "remedy", i.e., what one is to do if S&W impacts are demonstrated, is not explicitly provided in the 1995 guidance and is the rub of the issue. DEQ now has a process for a remedy largely shaped via SB 367. We need to talk about that the most, in my view.

Outline of proposed approach to determine S&W on a statewide basis (this closely mirrors what they did in the Midwest for Hg):

1. Do a stratified random selection of permits from large, medium, and small municipal dischargers. This needs to include lagoons and mechanical plants. Also select a similar (likely based on flow) cross-section of private dischargers. We already did the municipal step a couple years back when we did a %MHI analysis.
2. Determine, as best possible, current discharge quality from facilities, and receiving stream low-flow volume. Apply base numeric nutrient standards. If they cannot meet them, determine the approximate technological level and cost to upgrade facility to meet the criteria (Utah study can help here). In some locations the criteria are not attainable at LOT, and so going to LOT would be closest option.
3. Once calculated, extrapolate the estimated cost back to all statewide permit holders, and then compare cost to any economic index we choose (medium MT household income, MT GDP, etc.)

-Mike

From: Laidlaw.Tina@epamail.epa.gov [mailto:Laidlaw.Tina@epamail.epa.gov]

Sent: Thursday, April 14, 2011 9:50 PM  
To: Mathieus, George  
Cc: Steg.Ron@epamail.epa.gov; Suplee, Mike; Bostrom, Mark; Fish.Tonya@epamail.epa.gov  
Subject: Re: Nutrients

George,

Thanks for your email. Is there any chance you guys would be available to talk next week?

In terms of topics, I think it would be good for us to discuss how DEQ might approach making a S&W demonstration on a statewide basis for TN and TP. That might make a good starting point. If you have other details you'd like to cover, please email those suggestions to me as well.

After you propose a few dates and times, I'll check with folks (Ron, Tonya, Erin) to see when they might be available.

Look forward to talking.

Tina

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-----"Mathieus, George" <gemathieus@mt.gov> wrote: -----

To: Ron Steg/MO/R8/USEPA/US@EPA, Tina Laidlaw/MO/R8/USEPA/US@EPA  
From: "Mathieus, George" <gemathieus@mt.gov>  
Date: 04/14/2011 03:54PM  
cc: "Suplee, Mike" <msuplee@mt.gov>, "Bostrom, Mark" <MBostrom@mt.gov>  
Subject: Nutrients

From where we sit, it seems the ball is in your court on responding/continuing dialogue regarding SB367 and our nutrient criteria program.

So, have you discussed this since we last met? We would like to have another discussion.

This is a critical enough issue, that maintaining frequent dialogue is necessary.

Please let me know.

-George